

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PETER TINKHAM, JULIET ALEXANDER,
and SAMANTHA TINKHAM, pro se,
Plaintiffs,
v.

DOREEN R. KELLY, BARRY L.
MINTZER, JEAN CURTIS LOUD,
ROBERT L. DOYLE, DONNA KYED,
MARGARET VERRET, JOAN
BERNHEIMER, JUDI ALBERTON,
CLAIRE JACKSON, ERIN L. SENGES,
BARBARA A. HAWKES-SULLIVAN,
BARNEY KEEZELL, STEPHANIE
THOMAS, ERICA COHEN, and
KENNETH PONTES,
Defendants.

CIVIL ACTION
NO. 05-10470-MLW

**NOTICE -- IN SUPPORT OF DSS DEFENDANTS' MOTION TO DISMISS FOR
FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES -- OF DISMISSAL OF
12/22/06 FAIR HEARING FOR PLAINTIFFS' FAILURE TO ATTEND**

In support of their Motion to Dismiss, section II, the DSS Defendants herewith notify the Court that on January 6, 2006, the Department notified Plaintiffs of the dismissal of their fair hearing for their failure to attend same.

The notice is attached.

CERTIFICATE OF SERVICE

I certify that I served one true copy each of the above **Notice** upon both Plaintiffs pro se, via first-class mail addressed to Peter Tinkham, P.O. Box 1075 Easton, MA 02334, and Juliet Alexander PO P.O. Box 1075 Easton, MA 02334, on **January 23, 2006.**

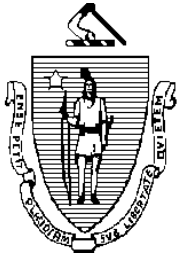
/s/
Stephen Dick

DSS Defendants.
By Their Attorney,

/s/
Stephen Dick, BBO #560508
Assistant Attorney General
Trial Division/Government Bureau
1 Ashburton Place
Boston MA 02108
617-727-2200
Fax: 617-727-3076
stephen.dick@ago.state.ma.us

Defendants,
Erin L. Senges, Barbara A. Hawkes-
Sullivan, Barney Keezell, Stephanie Thomas
Brown, and Erica Cohen

By Their Attorney,



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Social Services

Central Office

24 Farnsworth Street, Boston, Massachusetts 02210

Phone: (617) 748-2000 ♦ Fax: (617) 261-7435

MITT ROMNEY
Governor

♦
KERRY HEALEY
Lieutenant Governor

♦
TIMOTHY R. MURPHY
Secretary

♦
LEWIS H. SPENCE
Commissioner

January 10, 2006

Peter Tickham
Juliet Alexander
P.O. Box 1075
Easton, MA 02334

RE: Fair Hearing Request 20020407

Dear Mr. Tickham and Ms. Alexander:

Your Fair Hearing which was scheduled for December 22, 2005, is dismissed pursuant to 110 CMR 10.16A. Our office sent you a notice on October 19, 2005, saying a hearing was scheduled for December 22, 2005, at 1:00 pm at the Arlington office of the Department of Social Services. The hearing officer and staff from the Arlington office were prepared to go forward with the hearing at that time. You did not appear at the scheduled hearing or notify the Hearing officer that you could not attend. Therefore the Hearing is **dismissed**.

Sincerely,

Barney Keezell, Director
Fair Hearings